



# Resource Conservation and Recovery Act

## A Partnership for Safe Chemical Weapons Destruction

The Resource Conservation and Recovery Act, or RCRA, ensures the safe treatment, storage and disposal of hazardous waste generated nationwide. The Blue Grass Chemical Agent-Destruction Pilot Plant (BGCAPP) is subject to RCRA and must obtain a permit before construction of the facility can begin.

### What Is a RCRA Permit?

A RCRA permit is a legally binding document that establishes the waste management activities that a facility can conduct and the conditions under which it can conduct them. The permit outlines facility design and operation, lays out safety standards and describes activities that the facility must perform, such as monitoring and reporting. Permits typically require facilities to develop emergency plans and train employees to handle hazards. Permits also can include facility-specific requirements such as air monitoring. The permitting agency has the authority to issue or deny permits and is responsible for monitoring the facility to ensure that it is complying with the conditions in the permit. According to RCRA and its regulations, a Treatment, Storage and Disposal Facility (TSDF) cannot operate without a permit.

RCRA, implemented by the U.S. Environmental Protection Agency (EPA) and the Kentucky Department for Environmental Protection (KDEP), regulates the management of hazardous waste from the moment it is generated until final disposition. Several aspects of RCRA affect the pilot plant, specifically the standards for waste generators and TSDFs. The EPA has given KDEP the authority to implement RCRA under the Kentucky Hazardous Waste Regulations, which parallel the federal RCRA regulation.

### Generators

Generators of hazardous waste must comply with standards for storage, waste tracking, labeling, recordkeeping and reporting. The pilot plant will generate hazardous waste during operations. These wastes include such things as spent charcoal filters, salts and used personal protective equipment.

### Treatment, Storage and Disposal Facilities

RCRA requires TSDFs to manage hazardous waste in a manner that is fully protective of human health and the environment. Since the BGCAPP will treat and store hazardous waste, RCRA permits are required.

### RCRA Permitting Process

The process of obtaining a RCRA permit is long and complex, with oversight from both the EPA and KDEP. Public participation is also required throughout the process.

#### FOR MORE INFORMATION

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The Program Manager Assembled Chemical Weapons Alternatives (PMACWA) and its systems contractor, Bechtel Parsons Blue Grass (BPBG), plan to build and pilot test a TSDF at the Blue Grass Army Depot (BGAD). This facility will pilot test the destruction of chemical weapons containing blister and nerve agents. BGAD, as the owner (applicant), and BPBG as the operator (co-applicant), are required to submit an application to KDEP for a Research, Development and Demonstration (RD&D) permit to build and operate the full-scale pilot plant. The RD&D permit will allow BGAD, BPBG and PMACWA to build and operate the pilot plant so that it may be further evaluated.

Although the plant consists of proven processes and components, the National Research Council recommended that the integrated plant be tested under a research and development program before full operations. This will help to provide maximum safety to the worker and the public. Ultimately, the plant will be operated under a type of RCRA permit known as a "Part B."

The BGAD commander is responsible for ensuring all environmental regulations and laws are followed for all operations occurring on the depot and is a signatory to the permit. As such, all elements related to the permit, including correspondence, applications and modifications are coordinated with the BGAD Environmental Office.

To receive a RCRA permit, BGAD, PMACWA and BPBG must submit a detailed permit application describing how the BGCAPP will be built and operated to comply with RCRA regulations. Prior to submitting the permit application, the applicants must hold a pre-application meeting to inform the public of their intent to submit an application and to obtain comments. KDEP then reviews the application, generally requests additional information and/or clarification, develops draft permit conditions, and issues a draft permit for public comment. During this comment period, there are public meetings and a public hearing. After comments are received and incorporated, a final RCRA RD&D permit is issued.

With KDEP oversight, the applicants will conduct a pilot test of the proposed neutralization system. On the basis of the results, the applicants will decide whether to treat the remainder of the chemical weapons stockpile in the proposed neutralization system. Construction and operation of the plant may not begin until the Army is issued a permit.

### **Public Participation**

Public participation is a vital component of the permitting process. Members of the public can contribute valuable information and ideas that improve the quality of both agency decisions and permit applications. The public is encouraged to ask questions and provide input throughout the entire life cycle of the permitting process.